

U.S. Department of Justice

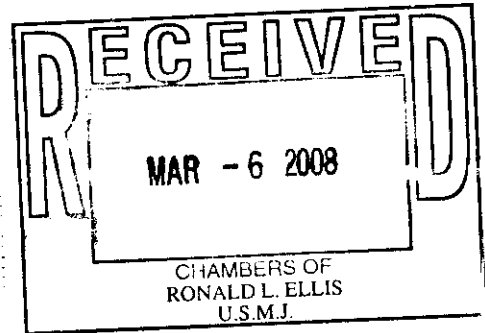
United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

March 4, 2008

By Hand

Hon. Ronald L. Ellis  
United States District Judge  
United States Courthouse  
500 Pearl Street, Room 1970  
New York, New York 10007



Re: Gregory Miele v. Astrue  
07 Civ. 3376 (RLE)

This Office represents the Commissioner of Social Security, the defendant in this action. We write respectfully, with the consent of plaintiff's counsel, to request an extension of the Court's briefing schedule.

Pursuant to this Court's order, plaintiff has filed his motion for judgment on the pleadings, and defendant's cross-motion for judgment on the pleadings is due by March 4, 2008, plaintiff's reply, if any, is due by March 18, 2008, and defendant's reply, if any, is due by April 1, 2008. The agency is in the process of reviewing this matter further to determine whether a change in its current litigation is appropriate. To allow the agency time to complete its review, we respectfully request that the Court approve the following schedule:

- 1) Defendant shall serve a cross-motion by March 25, 2008.
- 2) Plaintiff shall serve a reply, if any, by April 8, 2008;
- 3) Defendant shall serve a reply, if any, by April 22, 2008.

This is the second request for an adjournment.

*Schedule Approved.*

SO ORDERED

*Ronald L. Ellis* 3-10-08

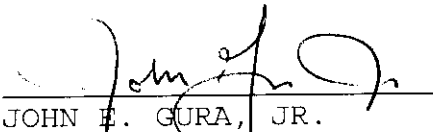
MAGISTRATE JUDGE RONALD L. ELLIS

We apologize for the delay in making this request and thank the Court for its consideration of this matter.

Respectfully,

MICHAEL J. GARCIA  
United States Attorney

By:



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(By Fax)